

**EXPRESS MAILING LABEL NO.: EL327514815US**

**Attorney Docket No.: 102689-33/00-U0031**

**DECLARATION AND POWER OF ATTORNEY FOR  
UNITED STATES LETTERS PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**UPPER LAYER NETWORK DEVICE INCLUDING A PHYSICAL LAYER TEST  
PORT**

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on:

as Application No.:

and was amended on:  
(if applicable).

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at Nutter, McClennen & Fish, LLP, One International Place, Boston, MA 02110-2699, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

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**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(check one)

- ☒ no such foreign applications have been filed.
- ☐ such foreign applications have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Country	Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**


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**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATION(s)**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:  
(check one)

- ☒ no such U.S. provisional applications have been filed.  
☐ such U.S. provisional applications have been filed as follows:

Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119(e)
		___ Yes ___ No ___
		___ Yes ___ No ___
		___ Yes ___ No ___

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(s)**

I hereby claim the benefit under Title 35, United States Code §120, of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:  
(check one)

- ☐ no such U.S./PCT applications have been filed.  
☒ such U.S./PCT applications have been filed as follows:

Application Number	Date of Filing (month, day, year)	Status (Patented/Pending/Abandoned)
Patent Application entitled "Network Device Including Central and Distributed Switch Fabric Subsystems"	July 11, 2000	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

Ronald E. Cahill	Reg. No. 38,403	William C. Geary III	Reg. No. 31,359
Carl M. DeFranco, Jr.	Reg. No. 32,675	Lisa J. Michaud	Reg. No. 44,238
Maria M. Eliseeva	Reg. No. 43,328	Reza Mollaaghababa	Reg. No. 43,810
Thomas J. Engellenner	Reg. No. 28,711	David J. Powsner	Reg. No. 31,868
Michael I. Falkoff	Reg. No. 30,833	Richard J. Roos	Reg. No. 45,053
		Scott D. Rothenberger	Reg. No. 41,277

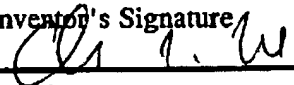
all of Nutter McClennen & Fish, LLP, One International Place, Boston, Massachusetts 02110-2699, jointly, and Patricia Davis, Reg. No. 37,866, of Equipe Communications Corporation, of 100 Nagog Park, Acton, MA 01720, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Please mail correspondence to: Thomas J. Engellenner  
at Customer Number 021125, whose address is:

Nutter McClennen & Fish, LLP  
One International Place  
Boston, Massachusetts 02110-2699

Please direct telephone calls to: Thomas J. Engellenner  
at (617)439-2948.

Please direct facsimiles to: (617)310-9948

Full name of first joint inventor Chris R. Noel	
Inventor's Signature 	Date 7/14/00
Residence 4 Winterberry Path, Acton, MA 01720	
Country of Citizenship U.S.A.	
Post Office Address (required) same as above	

Full name of second/joint inventor Corey Simons	
Inventor's Signature <i>Corey Simons</i>	Date 7/14/2000
Residence 3606 Stearns Hill Road, Waltham, MA 02451	
Country of Citizenship U.S.A.	
Post Office Address (required) same as above	

Full name of third/joint inventor Joseph D. Kidder	
Inventor's Signature <i>Joseph D. Kidder</i>	Date 7/14/2000
31 Bonad Road, Arlington, MA 02476	
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Post Office Address (required) same as above	

Full name of fourth/joint inventor Nicholas A. Langrind	
Inventor's Signature <i>Nicholas A. Langrind</i>	Date 7/14/2000
Residence 8 Bedford Road, Carlisle, MA 01741	
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Post Office Address (required) same as above	

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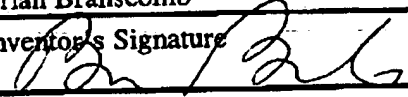
Page 7


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Page 9/16

Full name of fifth/joint inventor Brian Branscomb	
Inventor's Signature 	Date 7/14/2000
Residence 8 Kerry Lane, Hopkinton, MA 01748	
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Post Office Address (required) same as above	

Full name of sixth/joint inventor Jonathan D. Madsen	
Inventor's Signature 	Date 7/14/2000
Residence 34 Park Ave. Extension, Arlington, MA 02474	
Country of Citizenship U.S.A.	
Post Office Address (required) same as above	

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